

### 1. Shemot 22:24

אִם-כִּסֶּף | תַּלְוֶה אֶת-עַמִּי אֶת-הָעֹנִי עִמָּךְ לֹא-תִהְיֶה לוֹ כְּנֹשֶׁה לֹא-תִשְׁיָמוּן עָלָיו וְנָשָׂךְ:

If you lend money to My people, to the poor among you, do not act toward them as a creditor; exact no interest from them.

### 2. Bava Metzia 71a

דתני רב יוסף: אם כסף תלוה את עמי את העני עמך, עמי ונכרי - עמי קודם, עני ועשיר - עני קודם, ענייך ועניי עירך - ענייך קודמין, עניי עירך ועניי עיר אחרת - עניי עירך קודמין.

**There are those who teach that which Rav Huna said in connection with that which Rav Yosef taught:** The verse states: **“If you lend money to any of My people, even to the poor person who is with you”** (Exodus 22:24). The term **“My people”** teaches that if one of **My people**, i.e., a Jew, and a **gentile** both come to borrow money from you, **My people take precedence**. The term **“the poor person”** teaches that if a **poor person and a rich person** come to borrow money, **the poor person takes precedence**. And from the term: **“Who is with you,”** it is derived: If **your poor person**, meaning one of your relatives, and one of **the poor of your city** come to borrow money, **your poor person takes precedence**. If it is between one of **the poor of your city** and one of **the poor of another city**, **the one of the poor of your city takes precedence**.

### 3. Bava Metzia 31b

פתח תפתח אין לי אלא לעניי עירך, לעניי עיר אחרת מנין - תלמוד לומר פתח תפתח, מכל מקום. נתן נתן אין לי אלא מתנה מרובה, מתנה מועטת מנין - תלמוד לומר נתן נתן, מכל מקום.

With regard to the mitzva of giving charity and granting loans, it is written: **“For the poor shall never cease out of the land; therefore I command you, saying: You shall open [patoah tiftah] your hand to your poor and needy brother in your land”** (Deuteronomy 15:11). **I have derived only the obligation to give charity to the poor residents of your city. From where is the obligation to give charity to the poor residents of another city derived? The verse states: “Patoah tiftah,”** to teach that you must give charity to the poor in any case.

### 4. Bava Metzia 62a

ורבי יוחנן האי וחי אחיך עמך מאי עביד ליה מבעי ליה לכדתניא שנים שהיו מהלכין בדרך וביד אחד מהן קיתון של מים אם שותין שניהם מתים ואם שותה אחד מהן מגיע לישוב דרש בן פטורא מוטב שישתו שניהם וימותו ואל יראה אחד מהם במיתתו של חבירו עד שבא ר' עקיבא ולימד וחי אחיך עמך חייך קודמים לחיי חבירך

The Gemara asks: **And Rabbi Yoḥanan, what does he do with this verse: “And your brother shall live with you”?** The Gemara answers: **He requires the verse for that which is taught in a baraita:** If **two people were walking on a desolate path and there was a jug [kiron] of water in the possession of one of them**, and the situation was such that **if both drink from the jug, both will die**, as there is not enough water, **but if only one of them drinks, he will reach a settled area**, there is a dispute as to the *halakha*. **Ben Petora taught:** It is **preferable that both of them drink and die, and let neither one of them see the death of the other**. This was the accepted opinion **until Rabbi Akiva came and taught** that the verse states: **“And your brother shall live with you,”** indicating that **your life takes precedence over the life of the other**.

### 5. Ahavat Chesed 6:14

כל דיני הקדימה הנאמר למעלה הוא לאו דוקא על הלואה ושאלת כלים... דה”ה על איזה שום טובה אחרת

All the rules of precedence that are said above are not only regarding lending [money] or objects... for the same is true for any other favor.

### 6. Shulchan Aruch Yoreh Deah 251:3

הנותן לבניו ובנותיו הגדולים, שאינו חייב במזונותיהם, כדי ללמד את הבנים תורה ולהנהיג הבנות בדרך ישרה, וכן הנותן מתנות לאביו והם צריכים להם, הרי זה בכלל צדקה. ולא עוד אלא שצריך להקדימו לאחרים. ואפילו אינו בנו ולא אביו, אלא קרובו, צריך להקדימו לכל אדם. ואחיו מאביו, קודם לאחיו מאמו. ועניי ביתו קודמין לעניי עירו, ועניי עירו קודמין לעניי עיר אחרת (כ"מ בסמ"ג וסמ"ק וטור). הגה: והקבועים בעיר קרויים עניי העיר, והם קודמין לעניי אחרים הבאים לשם ממקומות אחרים (טור דלא כר"י בר ברוך). ויושבי ארץ ישראל קודמין ליושבי חוצה לארץ. הגה: פרנסת עצמו קודמת לכל אדם, ואינו חייב לתת צדקה עד שיהיה לו פרנסתו ואח"כ יקדים פרנסת אביו ואמו, אם הם עניים, והם קודמים לפרנסת בניו. ואחר כך בניו, והם קודמים לאחיו, והם קודמים לשאר קרובים, והקרובים קודמים לשכיניו, ושכיניו לאנשי עירו, ואנשי עירו לעיר אחרת. והוא הדין אם היו שבועים וצריך לפדותן. (הכל בטור).

Helping one's grown up sons or daughters in need when he is not obliged to—in order to give his sons an opportunity of studying the Law, or to keep his daughters in the right path—and presenting gifts to one's father in need,—all this comes under the general head of Charity. In fact, such charity is to be preferred to other forms. Not only a father or child, but any relative should be given preference to a stranger; a brother of one's father, to a brother of one's mother; the poor of his own house to the poor of the city at large; the poor of his own city to the poor of other cities; [Rama: Those established in the city are called “the poor of the city and they precede those who come from other places.”] and the poor that dwell in the Holy Land to those that dwell in other lands.

Rama: And support for oneself comes first, and one is not obligated to give charity until he can sustain himself, then he can support his parents if they are poor, and they come before the support of one's children. They precede one's brothers, who precede other relatives, and relatives precede neighbors, and neighbors precede the members of one's city, who precede those of other cities. The same is true of captives who must be redeemed.

### 7. Shulchan Aruch Yoreh Deah 257:8-10

**סעיף ח** עני שיש לו קרובים עשירים שיכולין לפרנסו, אין גבאי העיר חייבים לפרנסו, אף על גב דקרוביו ג"כ נותנים בכיס. **סעיף ט** לא יתן אדם כל צדקותיו לעני אחד בלבד.

**סעיף י** המחלק צדקה צריך לזוהר שלא ירבה לקרוביו יותר משאר בני אדם. הגה: ודוקא גבאי, אבל כל אחד מותר ליתן צדקה שלו או מעשר שלו למי שירצה מקרוביו, והם קודמין כמו שנתבאר לעיל סימן רנ"א. (מרדכי פ"ק דב"ב).

8 - A poor man who has wealthy relatives does not have to be supported by the Gabbaiim, even though the relatives are contributors to the fund.

9 - One should not center all his charities in one poor man.

10 - He who distributes the charities should guard himself against being partial to his relatives.

Rama.—That is to say, a public Gabbai. But a private individual may give charity or his tithes to whichever relative he chooses—in fact, his relatives come first, as already explained in Siman 251.

### 8. Bach Yoreh Deah 251

הכי תניא בספרי ... ויושבי ארץ ישראל קודמין ליושבי חוצה לארץ ונראה דבשניהם מעיר אחרת קאמר דיושבי ארץ ישראל קודמין ליושבי חוצה לארץ אבל עניי עירו בחוצה לארץ פשיטא דקודמין לעניי עיר אחרת אפילו הם מארץ ישראל ... נראה דאפילו עניי עיר אחרת הבאים לעיר הם נדחים מפני עניי ארץ ישראל שלא באו לעיר ... דאין חילוק בין באים לעירו ללא באים וכהכרעת רבינו דלא כה"ר יצחק בר ברוך:

This is taught in the Sifrei... that the poor of Israel precede those who live in the Diaspora. It seems that this is discussing a case when both come from another city, as then those from Israel precede those from the Diaspora. However, the poor of one's city in the Diaspora clearly precede those from other cities, even those from Israel. It would seem that even the poor of another city who come to one's city are pushed away in favor of those from Israel who did not come to the city... as there is not distinction between coming or not, like [the Tur] and not like R. Yitzchak bar Baruch.

### 9. Shut Daat Kohen 133

עניי א"י נקראים ג"כ עניי עירך

The poor of Israel are also called the poor of your city.

### 10. Pitchei Teshuva Yoreh Deah 251:4

עיינ בתשובת חתם סופר סימן רל"ג ורל"ד שהאריך מאוד דיש להקדים יושבי ירושלים על יושבי שארי העיירות א"י וכל הקדימות אינם אלא להקדים ולא לדחות נפשות וע"כ אם שניהם שוים שצריכים להחיות נפשם בלחם צר נאמר זה קודם אבל כשיש לאנשי ירושלים אפילו רק לחם צר שוב אין להם שום תביעה עד שיגיע לכל א' מהעיירות אחרות ג"כ כשיעור הזה

See Shut Chatam Sofer 233-4 who wrote at length that those who live in Jerusalem are given precedence over those of other places in Israel. However, all of these [rules of] precedence are only to precede and not to push aside lives. Therefore, if the two are equal, that they both need to be provided with minimal bread to survive –

then this one precedes. However, when the poor of Jerusalem have minimal bread, they have not claim until those in the other cities receive this amount.

### 11. Shulchan Aruch Yoreh Deah 251:7

חייב להקדים להאכיל הרעב מלכסות הערום.

Feeding the hungry should precede clothing the naked.

12. **Panim Yafot, Devarim 15:7** claims that all the community-based preferences are only when the needs are equal.

### 13. Biur HaGra, Yoreh Deah 251

ואם הותיר יפרנס את בני שכונתו ואם הותיר יפרנס את בני מבויו שלו מכאן ואילך ירבה צדקה עם שאר בני ישראל כו' ועבב"מ ע"א א':

If there is leftover, support those in his neighborhood. If there is left over, give to those in his alleyway. From then one, give to all other Jews (see Bava Metzia 71a).

### 14. Shiyarei Keneset HaGedola, Yoreh Deah 251:3:9

בעיר שהם נחלקים לחבורות חבורות וקהלות קהלות, ה"ל כל עניי קהלה וקהל כעניי עיר אחרת.

In a city that is divided into groups and communities, each community is like the poor of another city.

### 15. Derech Emuna, Matanot Aniyim 7:13

עניי ביתו. היינו שכניו קודמין לעניי עיר האחרים (רלב) ו"א דשכניו נקרא אם הוא רגיל אצלו ולא מי שדר בשכונת ביתו ויש חולקין  
The poor of one's house. This means that his neighbors come before others in the city. Some say that his neighbors are those who are regularly with him, not those who live near his house, and some argue.

### 16. Minchat Asher Shemot 21

והנה אף שנתנו הפוסקים דיני קדימה בצדקה, יש להתבונן במצב המציאות לפי המקום והזמן. דהנה ברור לענ"ד דאף שאמרו חז"ל עניי עירך קודמין, אין זה אלא בימיהם, שבני העיר הם שדאגו לעניי עירם ואין זולתם מי שידאג להם. אבל בזמננו בעידן התחבורה והתקשורת ההמונית אם עני נוסע ברחבי העולם לאסוף תרומות או עם ועדות רבנים וגופי צדקה אוספים למענו בפרסום גדול החוצה גבולות ומרחקים, שוב אין הוא בכלל עניי עירך

Even though the Posekim have promulgated rules concerning the precedence of charity, one must understand the situation based on the reality of the time and place. For it is clear, in my humble opinion, that even though *Chazal* write that "the poor of your city come first", this was only in their days when it was the people of the city who had to concern themselves with the poor of the city and there was no one else who would care for them. However, in our times, with transportation and mass communication, a poor person may travel to the ends of the earth to collect donations; alternatively, there are rabbinic organizations or charitable organizations who collect for the poor with much publicity which crosses borders and vast distances. Thus, the poor person is no longer included in "the poor of your city."

### 17. Rabbi Moshe Heineman

In allocating and disbursing Tzedakah funds one should divide the amount of Tzedakah into thirds. The first one-third should be given to needy individuals or institutions in town. A second third should be used to satisfy one's moral obligations whether they be in town or elsewhere. In the event that one's moral obligations are all in town then at least two-thirds of one's Tzedakah would be distributed in the Baltimore area. The final third may be given to any qualified individual or institution including those out of town, provided that the requirement stated above, of assuring that over 50% of one's Tzedakah be distributed in town, has been satisfied.

The following constitute moral obligations.

- a) A needy relative or close friend
- b) A mosad in which you, your spouse, or your children received a Torah education without paying full tuition.
- c) A mosad or needy individual from which you have direct benefit.
- d) A mosad owned or directed by a relative or close friend to whom you feel a responsibility to help.

From Rav Heineman's argument, however, it seems that he does not think that the notion of geographic community was replaced by the notion of an ideological one. Rather, he thinks that both notions of community are critical. On an intuitive level, his suggestions make sense. When it comes to charity for needy people, the issue at hand is not primarily ideological. Rather, we want to ensure that all poor people who need money for food and clothing are provided for. The insistence that each community provide for their own seems pragmatic. Indeed, it would seem preferable to require each geographic community to provide basic sustenance for its poor, because relying on people to give to those they identify with would likely leave many without support.

18. *Divine Footsteps* (Rabbi Daniel Feldman), p. 228

R. Zevulun Charlop has suggested another factor that may, in modern times, divert emphasis away from *aniyyei irekha* and in favor of *aniyyei Eretz Yisrael*. The increasing development of the "global village" has, through technological advances, both diluted the significance of those in immediate geographic proximity, while enhancing the connection of faraway donors to those living in Israel.

### 19. Rambam Matnot Aniyyim 7:2

וכל הרואה עני מבקש והעלים עיניו ממנו ולא נתן לו צדקה עבר בלא תעשה שנאמר לא תאמץ את לבבך ולא תקפוץ את ירך מאחיק האביון .

Anyone who sees a poor person begging and averts his eyes from him and does not give him *tzedakah* transgresses a negative *mitzvah*, as it is said, (Deut. 15:7) [*If, however, there is a needy person among you, one of your kinsmen in any of your settlements in the land that the LORD your God is living you,] do not harden your heart and shut your hand against your needy kinsman.*

### 20. Bava Metzia 33a

ת"ר (שמות כג, ה) כי תראה יכול אפי' מרחוק ת"ל כי תפגע אי כי תפגע יכול פגיעה ממש ת"ל כי תראה ואיזו היא ראייה שיש בה פגיעה שיערו חכמים אחד משבע ומחצה במיל וזה הוא ריס

**The Sages taught** in a *baraita*: It is written: "**If you see** the donkey of him that hates you collapsed under its burden...you shall release it with him" (Exodus 23:5). I **might** have thought one is obligated **even** if he sees the animal **from a distance**; therefore **the previous verse states**: "**If you encounter** your enemy's ox or his donkey going astray, you shall return it to him" (Exodus 23:4). **If** the Torah had written only: "**If you encounter**," I **might** have thought that one is obligated to unload the burden only if there was **an actual encounter**; therefore, **the verse states**: "**If you see**." **And what is seeing in which there is** an element of **encounter**? **The Sages calculated** it as **one of seven and a half** portions, i.e., two-fifteenths, **of a mil, and that is** the measure of **a ris**.

### 21. Rabbi Mordechai Torczyner

The Torah speaks of helping your neighbour's animal in two separate passages. In one it says to help "When you **see**" the animal. In the other it says to help "When you **encounter**" the animal. The Talmud (Bava Metzia 33a) blends the two verses to say that we are obligated to act on behalf of others when we **perceive** a need, with an intimacy that makes it an **encounter**. If we feel the impact, then we must be moved to act.

- For more, see my article at <https://www.etzion.org.il/en/shiur-37-social-media-driven-fundraisers-halakha> and Rabbi Yehuda Zoldan's article in *Tzohar* 37.